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DE RUEHHE #0059/01 0491235

ZNR UUUUU ZZH

R 181235Z FEB 09

FM AMEMBASSY HELSINKI

TO RUEHC/SECSTATE WASHDC 4807

INFO RUCNMEM/EU MEMBER STATES COLLECTIVE

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UNCLAS SECTION 01 OF 06 HELSINKI 000059

SENSITIVE

SIPDIS

DEPT. FOR G/TIP, G, INL, DRL, PRM, EUR/NB, EUR/PGI
STATE PASS AID

PART 01 OF 02

E.O. 12958: N/A

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SUBJECT: FINLAND: 2009 ANNUAL TRAFFICKING-IN-PERSONS REPORT

REF: (A)2008 STATE 132759 (B)STATE 005577^ (C) Email dtd December 15, 2008 Finland Action Guide (D) 2008 Helsinki 00563 (E) 2008 Helsinki 00574

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¶1. (U) Post's point-of-contact on TIP is Political & Labor Officer Lisa Conesa(ConesaLB@state.gov; Tel: 358-9-6162-5482; FAX: 358-9-6162-5766). Ms. Conesa is an FS-04, and spent 100 hours on preparing the TIP report. Two local LES employees in the Political Section and Consular Section spent 67 hours supporting the preparation of this report.

¶2. (SBU) Embassy Comment: Embassy Helsinki has continued to work collaboratively with our Finnish interlocutors in the area of trafficking-in-persons (TIP). The GoF has been proactive in responding to Mission requests for information related to its TIP efforts, and has been receptive to the Department's TIP Action Plan contained in ref C. Post believes that Finland continues, in both talk and action, to represent a prime example of a Tier 1 country. End Comment.

¶3. (SBU) Begin Text.

Overview of Finland's Activities to Eliminate TIP

The following has been keyed according to ref A.

The Country's Tip Situation:

23A: The Embassy's main sources for official trafficking-in-person's information are government officials from the Interior Ministry (MOI), Finnish Border Guards (FBG), National Bureau of Investigation (NBI) and National Immigration Service (NIS). The Political Section meets with these officials and the new National Rappateur for Trafficking in Human Beings on a regular basis. The RSO and Consular Sections alert and include the Political Section in meetings that may address crimes or migration with a trafficking component. Officials remain unanimous in their assessment that the instances of trafficking continue to be very small, an assertion that is supported by academic researchers, NGO

leaders and media reporting. Nevertheless, the Government of Finland (GoF) takes the fight against TIP very seriously and has established effective interagency mechanisms to detect, prevent and deter it.

23A - cont. The GoF has adopted and implemented a revised national TIP action plan (2008), and has allocated personnel and resources at all levels of the GoF to deter and reduce the likelihood of trafficking into or through Finland. In the Revised National Plan of Action Against Trafficking in Human Beings, the GoF has acknowledged the need to conduct more detailed data collection and analysis so that it can better grasp the scope of the TIP issue. To that end, the GoF added an independent National Rappateur for Trafficking in Human Beings who is required to report regularly to the Government, to monitor the trafficking phenomena in order to identify problems. The Rappateur may also issue advice, recommendations, proposals for action and statements.

23A - cont. A Finnish NGO network (30 NGOs), led by Pro-tukipiste, began separately counting known victims appearing in the network for services in 2007, whether or not the victim agreed to go through police channels or had been referred by the police.

23A - cont. The Embassy PAS section provides daily press translations. Post documents cases that appear in the press and are reported as human trafficking or a crime, which may turn out to be trafficking, such as alien smuggling. Additionally, PAS watches for articles that may not make the daily press translation and alerts POL to them. The POL Assistant (an FSN) also scans domestic press daily. When a press item appears, post contacts local officials for more detailed background.

23A - cont. Data from Finnish sources is generally reliable. NGOs disclose what is fact-based, what is estimated and what is an

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opinion.

23B: Finland is a transit and destination country for trafficked men and women, with transit trafficking being more prevalent than trafficking to Finland as a destination. Finland is not a source country. Internal trafficking does not routinely occur.

23B - cont. People are trafficked for labor and prostitution. In the very small number of recent cases into Finland, perpetrators trafficked people into the southern more populous parts of the country. Recent illegal transit (alien smuggling) cases that might have developed into trafficking, if not for early interdiction, were destined for France, Italy, Spain, Canada and the US.

23B - cont. According to officials, most victims trafficked through Finland are likely women destined for Western Europe's commercial sex industry, and come from Russia and Estonia; there is limited trafficking of women from Lithuania, Latvia, the Caucasus and Asia. Finland has no "red light" districts per se, and cities such as Helsinki, Turku, and Tampere support only a handful of nightclubs. NGOs count 300 "Thai Massage" parlors in Finland, 150 of those in Helsinki. NGOs estimate that half of them operate legitimate massage establishments. Police investigate massage parlors and a case prosecuted in 2007 as extortion and usury involving 13 victims is currently under appeal; this year, an investigation of 38 massage parlors found one case of pandering in Turku. Most prostitutes work out of their homes, rent apartments and, in certain circumstances, utilize hotel rooms. While advertising for sex is illegal, many prostitutes use the Internet to attract clients and the internet was used in pandering and procurement cases. According to the NBI, most prostitutes are Finnish students, full-time freelance sex workers, and individuals working in the sex industry on a part time basis. Most officials and NGOs estimate 500 to 600 prostitutes work in Finland, though Pro-tukipiste, the NGO which supports and promotes civil rights for sex workers in Finland, claims 8,000 calls from sex workers and 2,000 individual in-office contacts per year.

23B - cont. According to authorities, many non-Finnish prostitutes continue to commute to Finland to work as prostitutes for several weeks at a time, often from Russia, Estonia, Latvia. These

individuals, or independent sex workers, largely come to Finland voluntarily for economic gain and NGOs refer to the phenomena as "moving prostitution". Of the few women who are trafficked to Finland, most are aware that they will work as prostitutes upon arrival; they do not, for example, believe that they will be domestic servants or agricultural workers. NGOs have suggested that in some cases, "pimps" use coercion to maintain the services of a sex worker, thereby changing the dynamics of the situation from one of cooperation to one of victimization. Finnish NGOs disagree on whether prostitution is a valid profession or whether all prostitutes are, by the nature of the work, exploited.

23B - cont. Indian, Chinese and to a lesser degree, Pakistani and Bangladeshi men, have also been trafficked into Finland to work as illegal laborers. Labor trafficking purportedly involves restaurants, sub-contractor situations, domestics, cleaning crews, and construction. Officials believe that most labor trafficking is small-scale and tied to ethnic businesses like restaurants. Labor victims are predominantly East Asian or Indian, although cases involving Pakistanis and Bangladeshis have been noted

23B - cont. Based on available official information, refugees have not been victims of trafficking in Finland. Finnish authorities again have seen no trafficked minors destined to Finland during this reporting period. The trafficking of minors to third countries via Helsinki is a concern, but such trafficking is minimal. Border Guards indicated that they pay special attention to unaccompanied minors. They have been trained in identifying potentially trafficked minors, and patrol the transit lounges looking for them.

23C: Based on police information, perpetrators brought victims exploited for sex work to private apartments or private homes. The one domestic trafficking incident during the reporting period involved securing the victim in the basement of a rural home with

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duct tape. Restaurant owners kept Chinese restaurant workers in the food storage area of the restaurant. Accommodations for suspected labor trafficking victims are substandard.

23D: The common vulnerabilities in trafficking-related prosecutions appear to be previous contact between the trafficker and an unemployed victim. With one exception, most of the trafficking-type cases have started with an employment offer that then did not conclude as promised. The distinction between trafficking and smuggling, especially in labor cases, is often murky. Due to early interdiction, prior to boarding aircraft bound for Finland notably from India, over 100 smuggling cases were thwarted during this reporting period. Because of the early interdiction, the victims still perceive the smuggler as a hero. The intent of the smugglers, because of the reportedly high payments up front and additional payments expected at the destination, remains unclear.

23E: The traffickers appear to be friends of friends or extended family relationships who connect victims with a criminal organization or activity via a job offer, usually for a service job, or a promise of reunification. Exploiters appear to be travel and document purveyors. Officials believe that many represent organized rings. According to the NBI, there are no identifiable Finnish organized crime networks that traffic sex or labor workers into or through Finland. However, Russian and Estonian trafficking groups may facilitate the entry of Russian and Estonian prostitutes into Finland, but the perpetrators generally operate beyond Finland's borders. Estonia extradited two traffickers to Finland during this reporting period. Finnish officials would like to see greater support from Russian law enforcement personnel when Finnish law enforcement attempts to seek their assistance in potential TIP cases involving Russians. [Note: The Revised National Action Plan states that human trafficking and its prevention must be taken into account in cooperation between Finland and Russia, with particular attention to gender and child-sensitive issues. End note.] Approaches to victimization and transit appear organized and officials work to identify the initial perpetrators, often resident in another country.

23E - cont. Workers voluntarily enter Finland (legally or smuggled) for economic reasons, but after arrival, are forced to work long hours for minimal wages. Some are forced to sleep on premises, as was apparent in the Chinese restaurant workers' case. Passports may be taken and the threat of violence or turning the victim over to immigration authorities is used. Finnish law enforcement authorities report that it is extremely difficult to investigate such cases due to the closed nature of immigrant communities, language barriers, and the unwillingness of victims and material witnesses to cooperate with the police. The full scope of labor trafficking to Finland is unknown, but authorities believe there are likely small numbers of trafficked workers in major Finnish cities.

23E - cont. Exploiters use false documents and real documents under false pretense or attempt to move people from a neighboring country by ferry, bus, train or car where no documents would be expected. Smugglers sell complete packages including identity documents, travel, and a border FAQ (Frequently Asked Questions) manual for use when officials ask questions. Because of interdiction before departure or at the Finnish border, officials cannot say for certain that victims would not become trafficked to make final payments, which were reported to be large, although the end employment would be low-wage employment such as farm work.

23E - cont. NGOs believe that arranged or forced marriages may verge on trafficking for some immigrant groups coming from South Asia and Africa. They have no provable cases so far but have received assistance calls that lead them to suspect trafficking in a few cases annually. One NGO logged 21 suspect cases over a 9-year period ending in 2008. NGOs believe foreign wives are vulnerable because they may not know their rights in Finland and may continue to live under their source-country's paradigm.

23E - cont. While the actual number of TIP victims inside Finland appears low, expanded travel options to Finland have expanded the possibilities of transit through Finland. Finnish law enforcement

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remains vigilant regarding the transit TIP dynamic, particularly trafficking from Asia. Finnair, the national airline, has 26 flights weekly to China and 12 flights weekly to India. In the Indian smuggling cases reported by the media, officials and Finnair, the victims hoped to continue on to other destinations; Finnair proved instrumental in preventing transit. When Finnair expanded its Asian air routes between Helsinki and Osaka, Tokyo, Nagoya, Mumbai, New Delhi, Beijing, Shanghai, Guangzhou, Hong Kong and Bangkok, attempts at transit trafficking increased. Finnair enhanced passenger screening of transit passengers to reduce suspected TIP flows from Asia to and through Finland. Finnair will be adding a route to Turkey and is actively pursuing transit monitoring arrangements at the overseas departure point. Finnair statistics indicate a consistent refusal to board suspect passengers.

Setting the Scene for the Government's Anti-Tip Efforts

24A: The GoF acknowledges that trafficking-in persons is a criminal and social problem.

24B: The GoF revised anti-TIP national action plan ensures continuing cooperation and coordination throughout all levels of the GoF. The GoF frequently voices its determination to stop TIP in Finland, and to support international programs aimed at eliminating situations overseas which create a conducive environment for the trafficking of persons to developed nations. Finland has actively pursued these goals at the European Union and United Nations, and made trafficking a theme of its 2008 OSCE Chairmanship.

24B - cont. The elimination of trafficking and smuggling within and through Finland is a responsibility taken seriously and shared across the government. The GoF works via a "Steering Committee" composed of representatives from the Ministries for Foreign Affairs, Social Affairs and Health, Justice, and Education, as well as the FBG, the NBI, and several NGOs. This group coordinates the

implementation of the National Plan of Action against Trafficking in Human Beings and related counter-trafficking/smuggling activities. The following agencies are involved in the GoF's TIP initiatives:

--Minstry of Interior (Lead and Key):

-- National Rappateur for Trafficking in Human Beings: In this reporting period, the government appointed the Ombudsman for Minorities (Rappateur) to be the Rappateur. The Rappateur, part of the Ministry of Interior but operating with independence, reports regularly to the government and monitors international commitments and the mechanism of the Council of Europe Convention on Action against Trafficking in Human Beings (GRETA).

--Finnish Border Guards: principal responsibility of interdicting trafficked persons attempting to cross a Finnish border. They also have shared responsibility for investigating trafficking/smuggling rings that attempt to circumvent Finnish immigration laws. Part of the Ministry of the Interior.

--The National Bureau of Investigation: charged with pursuing organized crime pertaining to trafficking and smuggling, and has the lead of coordinating Finnish TIP law enforcement cooperation with third countries. TIP investigations are centralized in the NBI's 25-person Economic Crimes Unit. The unit focuses on prostitution, child pornography, abandoned children, human organ theft and trafficking, and forced/illegal labor crimes. Part of the Ministry of the Interior.

--Finnish Police: the police are charged with enforcing all laws throughout Finland. The police represent a national police force, and identify possible TIP victims as they enforce laws related to prostitution, pandering and internal immigration violations. Part of the Ministry of the Interior.

--Finnish Immigration Service: plays a key role in protecting the rights of individuals identified as victims of

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trafficking/smuggling, either at a port of entry or upon identification by law enforcement authorities. Part of the Ministry of the Interior.

--Finnish Customs: indirectly enforces immigration laws and is charged with detecting trafficking-smuggling when individuals are identified during routine Customs checks, and at locations where the Customs service provides immigration screening services on behalf of the Border Guards. Part of the Ministry of Finance.

--Ministry of Employment and the Economy (key): charged with enforcing and investigating potential labor law violations, including instances of forced labor. Also coordinates GoF emergency support services and assistance provided to non-resident TIP victims.

--Ministry of Social Affairs & Health (key): manages the nation's health and social welfare programs. Provides coordination of benefits and social services to individuals who have been identified as potential victims of trafficking-smuggling.

--Ministry of Justice (key): coordinates development of relevant Finnish law pertaining to TIP. Also coordinates extradition and legal requests from foreign jurisdictions regard TIP and extraterritorial jurisdiction of citizens overseas.

--Ministry for Foreign Affairs(key): implements international treaties against human trafficking and Finland's accession, taking into account current national legislation. Also coordinates visa policy and GoF authorities participation in the Visa Information System (VIS) and Schengen. The Passport and Visa Unit of the Ministry for Foreign Affairs (MFA) maintains an anti-human trafficking agenda. The MFA may also be involved in victim return and protecting human rights in civilian crisis management.

--Ministry of Education (key): involves itself in training and education and special services for children.

--Ministry of Defense: ensures that civilian crisis management and peacekeeping missions are familiar with the human trafficking phenomenon and how it relates to the filed.

--Ministry of Finance: is involved in victim assistance, training, work and integration issues via social security.

24C: Finland is rated by Transparency International as one of the world's least corrupt nations, consistently placing among the top five. Corruption is extremely rare, and has not been associated with TIP enforcement. The GoF's law enforcement, immigration and Border Guards are well trained and funded, and capable of thoroughly investigating and prosecuting all cases of TIP. The GoF and its multipronged TIP action plan (Revised National Plan of Action against Trafficking in Human Beings, August 2008) are also well funded, resourced and prepared to quickly respond to all TIP cases. NGOs argue that flow and use of resources could be more fluid and are actively working to improve public trust and ensure a positive outcome for victims.

24D: GoF's Revised National Plan of Action against Trafficking in Human Beings specifically directs the police to monitor trafficking, prostitution and related criminal activities with support from the Surveillance Unit for Illegal Foreign Labor and the Illegal Immigration intelligence subordinate to the National Bureau of Investigation.

24D - cont. Exchange of information among police, customs and the border guard occurs while maintaining respect for the victim's privacy, safety, and human rights. NGOs are working to improve the exchange of information by building "street credibility" and "trust" with suspected victims.

24D - cont. The newly formed office of the National Rappateur for Trafficking in Human Beings must collect and analyze information related to trafficking.

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